

**From:** Rod Spears  
**To:** Microsoft ATR  
**Date:** 1/24/02 2:42pm  
**Subject:** There must be a Remedy

Dear Judge Kollar-Kotally,

I am a software industry employee and I feel the "findings of fact" in the case accurately describe Microsoft's behavior. They are a monopoly and they will protect that monopoly at any cost. Bill Gates talks about how almost any remedy will hurt their ability to innovate. He really overuses that term and fails to understand what that means.

Microsoft's idea of innovation is to buy or duplicate competitor's applications and add them to each new release of Windows, thus extending their monopoly further. Bill also talks about limiting choice, but that is Microsoft's sole purpose for existence, is to limit the choice to just Microsoft products.

As a software developer, why I should try to develop new and interesting applications on the Windows platform? If the idea has any promise, I run the risk of Microsoft duplicating my idea in their next version of Windows.

The hard part of creating software for the average user is quite often the marketing of it. Microsoft has the best delivery mechanism in the world. They force PC manufacturers to put it on every box they ship.

Microsoft must be stopped now, or in the future they will hold all the keys to Internet and personal computing.

The "Proposed Final Judgment" will do little to curb their behavior. If Microsoft negotiates a settlement, it is by definition, in their best interest. A remedy needs to come from courts.

Thank you,  
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